

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

William E. Stephenson, :
Plaintiff : Civil Action 2:06-cv-352

v. : Judge Frost

Roger D. Howard, : Magistrate Judge Abel
Defendant :

ORDER

Plaintiff William E. Stephenson, a state prisoner, brings this action alleging that defendant Detective Roger D. Howard libeled and slandered him by making false criminal accusations against him. This matter is before the Court on Magistrate Judge Abel's May 12, 2006 Initial Screening Report and Recommendation that plaintiff Stephenson's complaint be dismissed pursuant to Rule 12(b)(1), Federal Rules of Civil Procedure, for lack of subject-matter jurisdiction (doc. 4).

Plaintiff fails to allege a short and plain statement of the grounds upon which the Court's subject matter jurisdiction depends, as required under Rule 8(a)(1) of the Federal Rules of Civil Procedure. Since both parties are Ohio residents, there is no diversity jurisdiction under 28 U.S.C. § 1332. The complaint claims an Ohio law defamation claim. For the reasons stated in the Initial Screening Report and Recommendation, no federal claim is pleaded.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **AFFIRMS** and **ADOPTS** the Magistrate's May 12, 2006 Initial Screening Report and Recommendation (doc. 4). Plaintiff William E. Stephenson's May 12, 2006 complaint is hereby **DISMISSED**.

/s/ Gregory L. Frost
Gregory L. Frost, Judge
United States District Court